

PLANNING BOARD MINUTES

January 6, 2011
Ayer Town Hall
1 Main Street
Ayer, MA. 01432

In attendance: Mr. Peter Johnston, Mr. Mark Fermanian, & Mr. Steve Wentzell
(Susan Sullivan/Office Manager)

6:00 PM General Business:

Steve Wentzell opened the Planning Board meeting and read into the record the resignations of Ms. Gibbons and Mr. Garber and extended appreciation of their service from the Board.

- **Re-organization of the Board.**

Steve Wentzell Motioned to reorganize the Planning Board with votes for Chair and Clerk positions.

Peter Johnston 2nd VOTE 3-0 All in Favor

Peter Johnston Motioned to nominate Steve Wentzell as Chair of the Planning Board.

Mark Fermanian 2nd VOTE 3-0 All in Favor

Mark Fermanian Motioned to nominate himself as Clerk to the Planning Board.

Peter Johnston 2nd VOTE 3-0 All in Favor

Peter Johnston Motioned to send an email/memo to the Town Administrator (BOS) stating there are two vacant seats that the Planning Board is considering filling with an appointed member.

Mark Fermanian 2nd VOTE 3-0 All in Favor

- **Judi Barrett C.O.G. re: Zoning By-Laws**

Steve Wentzell explained Ms. Barrett was not able to make it to the meeting this evening and would like to reschedule to January 20th or 21st in the afternoon. PB all agreed to meet on January 20th at 1:00 PM.

- **Budget**

Board looked over budget and sheet designed to cut 3% and 5% as requested. It was strongly noted there is absolutely nothing the board can afford to let go.

Peter Johnston Motioned to set up and account for applications to hold separately the line item for legal ads to be paid directly and not from the PB budget.

Mark Fermanian 2nd VOTE 3-0 All in Favor

Mark Fermanian motioned to present the budget to the Town, as requested, with 3 and 5 % cuts noted.

Peter Johnston 2nd VOTE 3-0 All in Favor

- **Dale Taylor (ZBA) Clarification**

Discussions regarding retaining walls; are they considered buildings and do they have to follow the set back requirements? PB agrees with ZBA that they should not be considered buildings they are structures and should not require a variance.

- **Sign Subdivision Rules and Regs.** (previously approved at Nov. 4th meeting)
Revisions were never recorded by administrative staff back in 2001. Office Manager will send to Chris Heep at Miyares & Harrington who will send everything to the Registry of Deeds and be sure it all gets recorded.

- **Ridge View Heights agreement** -signatures.
Mark Fermanian Motioned to approve and sign the Agreement for Ridgeview Heights as approved by Town Counsel and Board grants approval for Chair to sign decision.

Peter Johnston 2nd VOTE 3-0 All in Favor

- Mark Fermanian Motioned to approve and sign the Bond release for Ridgeview Heights 2b as approved by Town Counsel and Board grants approval for Chair to sign..

Peter Johnston 2nd VOTE 3-0 All in Favor

- Pauline Conley spoke to the Board briefly regarding the budget and offered to assist if needed.

- **Bills & Minutes:**

Mark Fermanian Motioned to approve payment to Kopelman & Paige regarding RidgeView Heights review. For \$ 297.50.

Peter Johnston 2nd VOTE 3-0 All in Favor

Mark Fermanian Motioned to approve payment reimbursement to Susan Sullivan for cost of Notary and supplies. ½ for PB totals \$ 60.67

Peter Johnston 2nd VOTE 3-0 All in Favor

Mark Fermanian Motioned to recess for 10 minutes

Peter Johnston 2nd VOTE 3-0 All in Favor

7:00 PM Continued Public Hearing: Calco, LLC.

Site Plan/ 200 West Main Street

Cal Goldsmith (engineer) and Calvin Moore (proponent)

Susan Sullivan (Office Manager) explained that DPW Superintendent Dan Nason wants the Operations and Maintenance agreement filed with the deed. 38 parking space plus additional 14 for a total of 51 spaces. Applicant understands they need three affirmative votes to pass this and can continue until there is a full Board. Yes, they understand and want to go forward.

Mark Fermanian Motioned to approve the Site Plan for Calco, LLC at 200 West Main Street for Self Storage Units.

Peter Johnston 2nd VOTE 3-0 All in Favor

Minutes:

Peter Johnston Motioned to approve the minutes from December 2nd as written

Steve Wentzell 2nd VOTE 3-0 All in Favor

- Mr. Bodurtha asked the board for information he never received from the former Chair J. Gibbons over a month ago. With the Boards permission, Susan Sullivan was able to provide him with all the information/copies he requested.

7:30 PM Continued Public Hearing: Emily's Way

Definitive Subdivision off Groton Harvard Rd.

Steve Mullaney (Eng.), Fred Hamwey (Town Eng.) & Atty. Sherril Gould (Emily's Way)

Planning Board received word today that the GeoTech firm is satisfied with the project and has no issues.
Based on the site distance, the Tree Warden will be notified to determine if the trees are in the public way.
Steve M. will stake the area and trees in question and notify the Planning Board when this is done so that they can get the Tree Warden involved at the site.
Mr. F. Hamwey would like to see a gate as well as text shown on the plans.
Easement for water service (lots 6 & 7) on lot 5 as well as all of the easements needs to be deeded.
DPW would like 24" sewer lines.
6" stone on gravel base is consistent and OK'd by DPW.
Retaining walls 4' high is ok'd
Mr. Hynes concerned with erosion. Erosion Control and repair was all explained.
Mr. Hynes wanted to know who he could contact regarding mud etc. It was explained that DPW would be supervising as well as an on-site manager for the project.
Mr. Hynes asked what will happen when there is a mudslide on his property. Atty. Gould explained that there is insurance and bonds in place to protect the neighbors and town.
Ms. Nehring asked if mud etc. was a ConCom issue. It was explained that no, it is not.
Ms. Giovaninni asked about the Stormwater basins. The plan shows pipes for the basins it was explained that they were going to screen around this area as well with Green.
Mr. Hynes wants to know about the RDA never granted towards the run-off in the road. It was explained that this is a gift to upgrade the drainage in the roadway and an RDA is a question to ask ConCom not the Planning Board. This is not included with this the project.
Mr. Hynes asked why the Planning Board and ConCom do not meet together on this project. The Planning Board answered that proponents will make such a request if it involves both boards.

Mark Fermanian read Dan Nason's comments into the record:

----- Original Message -----

From: [Dan Nason, Superintendent, Ayer DPW](#)

To: 'Ayer Planning'

Sent: Thursday, January 06, 2011 3:12 PM

Subject: FW: Emily's Way Subdivision - Initial Hydrogeological Study

Sue,

According to the findings by Geolnsight it appears the calculated seepage flow from the cut faces of bedrock will likely be 'insignificant' and can be handled by the proposed stormwater drain system designed by the applicant's engineer. I am interested in feedback back from Mullaney Engineering relative to Geolnsight's review. The applicant (and engineer) shall be acutely aware of the fact that there will most likely be mitigating measures required throughout the project as a result of construction-related erosion/sediment control and seepage issues. At this point I do not see any need for contracting additional services from Geolnsight.

Regards,

Dan

Mark Fermanian Motion to continue the Public Hearing to February 3rd, 2011 at 7PM
Peter Johnston 2nd VOTE 3-0 All in Favor

Mark Fermanian Motioned to adjourn.

Peter Johnston 2nd

VOTE 3-0

All in Favor

Adjourn 9:00 PM